THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION Nos. 21751, 21756, 21939, 21940 and 22123 OF 1995

DATED: 24-10-2006

WRIT PETITION No.21751 OF 1995

BETWEEN

Smt.K.Yadamma, W/o.K.Balaiah,
Aged about 29 years, Occ:Unemployed,
R/o.7-2-31, Ashoknagar,
Sujanlal Street,
Secunderabad, and others.

...PETITIONERS

AND

The Addl.Industrial Tribunal-cum-Addl.Labour Court,
Hyderabad, Rep.by its Presiding Officer,
"Chandra Vihar Building",
I Floor, M.J.Road, Hyderabad, and another.

...RESPONDENTS

WRIT PETITION No.21756 OF 1995

BETWEEN

G.Narsing Rao, S/o.Lingamaiah,
Aged about 24 years, Occ:unemployed,
R/o.2-4-726, Shyamnagar,
Haraspenta, Amberpet Road, Hyderabad, and others.

...PETITIONERS

AND

The Addl.Industrial Tribunal-cum-Addl.Labour Court,
Hyderabad, Rep.by its Presiding Officer,
"Chandra Vihar Building",
I Floor, M.J.Road, Hyderabad, and another.

…RESPONDENTS

WRIT PETITION No.21939 OF 1995

BETWEEN

R.Ramakanth, S/o.Pandurangam,
Aged about 26 years, Occ:Unemployed,
R/o.17-12-735, Madannapet,
Hyderabad, and others.

…PETITIONERS

AND

The Addl.Industrial Tribunal-cum-Addl.Labour Court,
Hyderabad, Rep.by its Presiding Officer,
"Chandra Vihar Building",
I Floor, M.J.Road, Hyderabad, and another.

…RESPONDENTS

WRIT PETITION No.21940 OF 1995

BETWEEN

K.Vijayakumar,
S/o.Narasimha,
Aged about 29 years, Occ:Umemployed,
R/o.1-4-886/41,
Mahatma Nagar, Mushirabad,
Hyderabad, and others.

…PETITIONERS

AND

The Addl.Industrial Tribunal-cum-Addl.Labour Court,
Hyderabad, Rep.by its Presiding Officer,
"Chandra Vihar Building",
I Floor, M.J.Road, Hyderabad, and another.

…RESPONDENTS

WRIT PETITION No.22123 OF 1995

BETWEEN

B.Balakumar, S/o. Mallesh,
Aged about 24 years, Occ:unemployed,
R/o.H.No.6-3-120/5, Premnagar,
Khairatabad, Hyderabad, and others.

...PETITIONERS

AND

The Addl.Industrial Tribunal-cum-Addl.Labour Court,
Hyderabad, Rep.by its Presiding Officer,
"Chandra Vihar Building",
I Floor, M.J.Road, Hyderabad, and another.

...RESPONDENTS

COMMON ORDER:

All these writ petitions have been filed seeking a Writ of Certiorari to quash the awards passed by the first respondent in I.D.Nos.583, 585, 586, 588, 589, 590, 591 and 593 of 1993 by different orders dated 20.12.1994 rejecting the claim of the petitioners for reinstatement into service as illegal, unjust and contrary to law and grant them the relief of reinstatement into service with continuity of service, full back-wages and all other attendant benefits.

Learned counsel for the petitioners submits that the petitioners were inducted in the Gandhi Hospital during the indefinite strike period from 05.11.1986 when the Non Gazetted Officers of the respondent hospital and other employees of the State Government were on strike. It is submitted that the persons engaged during the strike period are entitled to be considered for appointment on preferential basis as per the orders and instructions issued in G.O.Ms.No.69 dated 18.02.1987 and memo dated 10.04.1987. However, the petitioners raised different industrial disputes seeking reinstatement into service with continuity of service. However,

certain awards have been passed directing the Superintendent of Gandhi Hospital, Secunderabad to given preference to the petitioners in their future appointments, if any of them satisfy the conditions laid down in the said G.O. and memo and in respect of some other ID's no such direction has been granted. Thus, the learned counsel for the petitioners submits that the writ petitions may be disposed of directing the second respondent to consider the cases of the petitioners wherever no such award is passed giving the benefit of the said G.O. to the petitioners.

Having regard to the facts and circumstances of the case,

the writ petitions are disposed of directing the second respondent to give such benefit to the petitioners as awarded in certain ID's giving preference to the petitioners in future appointments, if they satisfy the conditions laid down in G.O.Ms.No.69 dated 18.02.1987 and the

Memo No.383/Ser.Wel/87-1 dated 10.04.1987. There shall be no order as to costs.

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V. ESWARAIAH, J

October 24, 2006
DSK